



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

May 22, 2007

**USDC SDNY
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DATE FILED: MAY 23 2007**

BY FACSIMILE: (212) 805-0426

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street, Room 1340
New York, New York 10007

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Re: United States v. Alejandro Costales Castillo,
07 Cr. 444 (LTS)

Dear Judge Swain:

The defendant was arrested on May 17, 2007, and the Grand Jury returned the enclosed indictment yesterday, May 21, 2007. Your Honor's deputy clerk referred the presentment and arraignment of the defendant to Magistrate Court. The defendant was presented and arraigned yesterday before Magistrate Judge Henry Pitman, at which time the defendant was detained on consent, without prejudice.

Upon speaking with Your Honor's deputy clerk this morning, an initial conference has been scheduled before Your Honor on June 4, 2007 at 11:00 a.m. The Government respectfully requests, with defense counsel's consent, that time be excluded for purposes of the Speedy Trial Act from today through and including June 4, 2007. The Government makes this

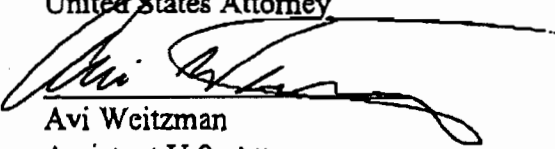
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request in order to permit the Government to collect and produce discovery and to provide the defendant an opportunity both to review discovery and to consider a possible disposition of the case. Therefore, the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8).

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:



Avi Weitzman
Assistant U.S. Attorney
(212) 637-1205

Enc.

cc: David Patton, Esq. (by facsimile: 212-571-0392)
Attorney for Defendant

The foregoing request for exclusion is granted, for the reasons set forth above.

SO ORDERED.

 5/22/07
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE